

Memorandum

To: City Council
From: Keith Robinson
Date: November 12, 2015
Subject: Nuisance Ordinance Update



Work on the nuisance ordinance is progressing however to this point it has been one sided.

Shortly after I addressed council in September, Ken received a white paper from CML, Code Enforcement in Colorado, and addressing nuisance enforcement for municipalities. Upon reading the paper I felt that it explained the nuisance issue clearly, provided legal references, case law references, and explained considerations for property owners, enforcement staff and judicial personnel. Additional copies of the paper were ordered, so that members of the CTF team would have a common reference. As of last week I am aware of only one of the ordered copies being received.

I have gone through the current ordinance and made suggested adjustments based on the white paper and my understanding, such as:

1. the governments right to enter property for inspection
2. the need for municipal search warrants
3. defining the time period for bringing a property into compliance at 7 days unless the property owner is compliant and the nuisance requires more time.
4. generally inserting language to help clarify the administrative process and remove some of the inconsistencies.

The white paper for all of the good information and theory provided did not provide any example ordinances or resource municipalities with administrative ordinances any clearer than what we currently have.

I have a meeting scheduled with Kathy on 11/13/15 to go over the draft ordinance. The next step will be reviewing the draft ordinance with the CTF team, hopefully before Thanksgiving.

Reading back through my September memo to council I had planned on a draft ordinance to discuss on November 15th. Not having legal review or input from the CTF group the draft ordinance is still in the working phase and not ready to propose to council. This does not affect the original deadline I set of being done with a rewrite of this section by July.

For Tuesday's meeting I would like to address any questions council might have concerning the four points above and provide any feedback that might be relevant from Kathy's review.